

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|-----|-----|---|-----|-----|
| Citizen of This State | 1 | 1 | Incorporated or Principal Place of Business In This State | 4 | 4 |
| Citizen of Another State | 2 | 2 | Incorporated and Principal Place of Business In Another State | 5 | 5 |
| Citizen or Subject of a Foreign Country | 3 | 3 | Foreign Nation | 6 | 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES														
<ul style="list-style-type: none">110 Insurance120 Marine130 Miller Act140 Negotiable Instrument150 Recovery of Overpayment & Enforcement of Judgment151 Medicare Act152 Recovery of Defaulted Student Loans (Excl. Veterans)153 Recovery of Overpayment of Veteran's Benefits160 Stockholders' Suits190 Other Contract195 Contract Product Liability	<table><thead><tr><th>PERSONAL INJURY</th><th>PERSONAL INJURY</th></tr></thead><tbody><tr><td><ul style="list-style-type: none">310 Airplane315 Airplane Product Liability320 Assault, Libel & Slander330 Federal Employers' Liability340 Marine345 Marine Product Liability350 Motor Vehicle355 Motor Vehicle Product Liability360 Other Personal Injury</td><td><ul style="list-style-type: none">362 Personal Injury—Med. Malpractice365 Personal Injury — Product Liability368 Asbestos Personal Injury Product Liability</td></tr><tr><th colspan="2">PERSONAL PROPERTY</th></tr><tr><td><ul style="list-style-type: none">370 Other Fraud371 Truth in Lending380 Other Personal Property Damage385 Property Damage Product Liability</td><td></td></tr></tbody></table>	PERSONAL INJURY	PERSONAL INJURY	<ul style="list-style-type: none">310 Airplane315 Airplane Product Liability320 Assault, Libel & Slander330 Federal Employers' Liability340 Marine345 Marine Product Liability350 Motor Vehicle355 Motor Vehicle Product Liability360 Other Personal Injury	<ul style="list-style-type: none">362 Personal Injury—Med. Malpractice365 Personal Injury — Product Liability368 Asbestos Personal Injury Product Liability	PERSONAL PROPERTY		<ul style="list-style-type: none">370 Other Fraud371 Truth in Lending380 Other Personal Property Damage385 Property Damage Product Liability		<ul style="list-style-type: none">610 Agriculture620 Other Food & Drug625 Drug Related Seizure of Property 21 USC 881630 Liquor Laws640 R.R. & Truck650 Airline Regs.660 Occupational Safety/Health690 Other	<ul style="list-style-type: none">422 Appeal 28 USC 158423 Withdrawal 28 USC 157 <table><thead><tr><th>PROPERTY RIGHTS</th></tr></thead><tbody><tr><td><ul style="list-style-type: none">820 Copyrights830 Patent840 Trademark</td></tr><tr><th>SOCIAL SECURITY</th></tr><tr><td><ul style="list-style-type: none">861 HIA (1395ff)862 Black Lung (923)863 DIWC/DIWW (405(g))864 SSID Title XVI865 RSI (405(g))</td></tr><tr><th>FEDERAL TAX SUITS</th></tr><tr><td><ul style="list-style-type: none">870 Taxes (U.S. Plaintiff or Defendant)871 IRS—Third Party 26 USC 7609</td></tr></tbody></table>	PROPERTY RIGHTS	<ul style="list-style-type: none">820 Copyrights830 Patent840 Trademark	SOCIAL SECURITY	<ul style="list-style-type: none">861 HIA (1395ff)862 Black Lung (923)863 DIWC/DIWW (405(g))864 SSID Title XVI865 RSI (405(g))	FEDERAL TAX SUITS	<ul style="list-style-type: none">870 Taxes (U.S. Plaintiff or Defendant)871 IRS—Third Party 26 USC 7609	<ul style="list-style-type: none">400 State Reapportionment410 Antitrust430 Banks and Banking450 Commerce/ICC Rates/etc.460 Deportation470 Racketeer Influenced and Corrupt Organizations810 Selective Service850 Securities/Commodities/Exchange875 Customer Challenge 12 USC 3410891 Agricultural Acts892 Economic Stabilization Act893 Environmental Matters894 Energy Allocation Act895 Freedom of Information Act900 Appeal of Fee Determination Under Equal Access to Justice950 Constitutionality of State Statutes890 Other Statutory Actions
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REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS																
<ul style="list-style-type: none">210 Land Condemnation220 Foreclosure230 Rent Lease & Ejectment240 Torts to Land245 Tort Product Liability290 All Other Real Property	<ul style="list-style-type: none">441 Voting442 Employment443 Housing/Accommodations444 Welfare440 Other Civil Rights	<ul style="list-style-type: none">510 Motions to Vacate SentenceHabeas Corpus:530 General535 Death Penalty540 Mandamus & Other550 Civil Rights555 Prison Condition	<ul style="list-style-type: none">710 Fair Labor Standards Act720 Labor/Mgmt. Relations730 Labor/Mgmt. Reporting & Disclosure Act740 Railway Labor Act790 Other Labor Litigation791 Empl. Ret. Inc. Security Act															

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- | | | | | | | |
|-----------------------|----------------------------|---------------------------------|--------------------------|---|----------------------------|---|
| 1 Original Proceeding | 2 Removed from State Court | 3 Remanded from Appellate Court | 4 Reinstated or Reopened | 5 Transferred from another district (specify) | 6 Multidistrict Litigation | 7 Appeal to District Judge from Magistrate Judgment |
|-----------------------|----------------------------|---------------------------------|--------------------------|---|----------------------------|---|

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See INSTRUCTIONS and LR 3.1(e))

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUN APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44

Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b.) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States, are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS-44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section IV below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a) Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. The plaintiff/removing defendant must identify all related cases that the attorney or party(s) are aware that either are pending in any Iowa state or federal court or were concluded in any Iowa state or federal court within the preceding year. (A case may be assigned to a judicial officer who handled a related federal case.) The plaintiff/removing defendant must also identify in the civil cover sheet all pending bankruptcy proceedings that counsel or client(s) are aware that have been initiated by any party. See Local Rule 3.1(e). If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.